

Board of Aldermen Regular Meeting
Wednesday, February 7, 2024
DRAFT MINUTES

The Town of North Topsail Beach Board of Aldermen held its regular meeting on February 7, 2024. A quorum of the board was present. The Town Attorney was not in attendance.

Board members present: Mayor Joann McDermon, Mayor Pro Tem Mike Benson, Aldermen Connie Pletl, Richard Grant, Tom Leonard and Laura Olszewski.

Board members absent: None

Staff present: Town Manager Alice Derian, IT Director Ricky Schwisow, Police Chief William Younginer, Fire Chief Chad Soward, Public Works Supervisor Al Cablay and Interim Town Clerk Nancy Avery.

Call to order

Mayor McDermon called the meeting to order at 11:00 am. Alderman Leonard gave the invocation and led in the Pledge of Allegiance.

Approval of Agenda

Mayor McDermon stated the Closed Session needs to be removed from the agenda as the Town Attorney is not at the meeting.

Motion – Mayor Pro Tem Benson motioned to adopt the agenda with the removal of the Closed Session; seconded by Alderman Olszewski; unanimously approved.

Manager’s report

Beach Projects:

- Phase 5 work continues, and the contractor has been back to placing normal volumes and averaging 15,000 CY’s per week since mid-January and is working Monday through Saturday. There was a temporary slowdown with progress that the contractor reported with the 421-sand production being slower than normal due to delayed expansion permitting. The slowed production of beach compatible sand has affected progress; however, it is the Town’s expectation that the contractor completes the project by the end of the current environmental permitting window which ends on April 30th.
- A schedule is pending from the contractor to schedule the remainder of the Phase 1 project for this environmental window.
- I requested a survey to be completed by the engineers following the back-to-back recent storms. Fran is here to present today and discuss recommendations.

Fire Station No. 2:

- Work continues on the Fire Station Project Financing and Construction as planned. Since the last meeting, all tasks related to financing and preparation of construction documents have been completed. The preliminary “abstract” schedule with the contractor that I reviewed with the architect is as follows:

- Contract reviewed/signed, bonds and insurance the week of Feb 7th
- Preconstruction meeting Feb. 28th
- Jobsite set up March 15th
- Demolition start March 25th

FY 2024-2025 Budget:

- The proposed budget calendar has been provided to the Board and attached to my report.
- The Finance Director and I held budget meetings throughout January with the Department Heads reviewing their requested budget, to assess departmental needs and to review capital improvement requests.
- Budget workshops are scheduled for February 21st and February 22nd as well as March 13th and March 14th from 8:30am to 4:30 pm. Each department will present to the Board to review needs and requests. The Board will then review a draft budget document and complete a review of Capital improvements and discuss prioritization of needs vs available funds and solicit innovative ideas or services to include.
- The Public Hearing will be held on April 3rd at the regularly scheduled BOA meeting.
- Budget / Ordinance adoption will be held on May 1st at the regularly scheduled BOA meeting.

Consensus- Board of Aldermen agreed on the proposed budget calendar as presented.

Consensus – Department Heads to be proactive in updating the Capital Improvement Projects Five Year Plan as part of budget sessions.

Grants:

- Recently, the N.C. Emergency Management announced they were accepting applications for grants funded through the 2023 Appropriations Act, the Emergency Management Disaster Relief and Mitigation Fund. In January, I worked on preparing a grant application for two storm water projects that were deemed a high priority. The two critical areas chosen for immediate improvement are Island Drive near the South Fire Station and the other on New River Inlet Road at Richard Peters Park. I submitted an application on January 26th to the N.C. Department of Public Safety for \$1,261,607.06. I included \$230,000 to complete engineering and obtaining permits, similar to what was submitted for the LASSI application, but re-worked it to include a probable cost of construction. The \$1.2 M requested includes a 5% inflation increase for construction as well. This grant is 100% funded with no cost share and paid on a reimbursement basis. The target date for applicant notifications is April 2024. Thank you to the Ocean City Citizen’s Council and David Smitherman, County Manager for providing letters of support for these projects that I included with the application.

Beach Vitex:

- The announcement was made in January that the coastal storm recovery fund was funded by the N.C. General Assembly, which allocated \$10M to the Division of Water Resources Coastal Storm Damage Mitigation Fund. The deadline to submit an application is March 8th. This is a cost share grant. This is an initiative that we budgeted for last year; however, paused to wait for these grant funds to become available with the intent we

would submit a joint application for North Topsail Beach, Surf City and Topsail. I met with the other Town Managers along with Coastal Transplants and we asked for updated cost estimates. We will need to plan for a 5% increase, which is based on the increase in the chemical cost and the growth of the vitex from the original survey period. There were 26 sites identified in North Topsail Beach. Updated costs that I have received is \$227,640 for the first year of treatment. Estimate for year two (2) of treatment is \$71,820, and year three (3) is anticipated to be \$50,400 and year four (4) and five (5) is anticipated to be \$26,250 each.

During our call, I requested details on the 26 sites identified. There are some sites that are more inundated with vitex that may require a different/hybrid approach. Ordinarily, they would not go in and re-plant until the chemical treatments are completed; however, with areas that are widespread, we would likely need to do some type of re-planting to ensure we are not compromising the dune system. Direction is pending from the town attorneys regarding easements or a property owner acknowledgement.

- Included on today's Agenda for consideration is an Ordinance to prohibit anyone from planting or maintaining beach vitex. This will assist with and be included in our joint grant application. Surf City currently has an Ordinance in place.

Mayor McDermon asked if the Town has educational material available on Beach Vitex.

Town Manager Derian replied that Coastal Transplants is preparing information and we will post it on the website when it is received.

Mayor Pro Tem Benson asked if the grant application process amongst the three towns has been clarified.

Town Manager Derian said the intent is between the three towns that we submit one joint application and we have emailed a few times to the state making sure that that is acceptable to them. We have not gotten anything back that says that we cannot submit it as one application so at this point because there is a very tight turnaround on this, of course. We are moving forward with the understanding of the intent of one application.

Alderman Grant said it is almost worthless to do it piece by piece and not do the whole island. It has to be coordinated with everyone here. When he talks to people there is confusion over what are beach plants and what is vitex. Mayor Pro Tem Benson has made presentations before about the difference in the root system.

Manager Derian said that is why we are really trying to work together on this. We budgeted last year and could have moved forward, but it made more sense to wait for that grant funding to be opened up again and have the other two towns be onboard. If we treated it and they did not we would not receive the same benefits.

Open Forum

1. Megan Scheibner, 2364 New River Inlet Road, stated she is a homeowner and more importantly a full-time resident at that address. She wants to know what the Town's plan is going forward to deal with the Town's sandbags that are destroyed outside her home and causing a hazard. Many have no sand in them. They are full of giant shards of glass and metal and they are

wrapping around the support beams of her home. They are a danger to her and her grandchildren, visitors and dogs. When she called the Town last about the ones wrapped around the support, she was told that might be helpful to her home or that she could take care of it herself. To be quite honest, the disaster that is out there is well beyond the scope of a homeowner. They are not her sandbags but she is being asked to take care of them. She wants to know what the plan is going forward.

2. Patrick Hayes, 2342 New River Inlet Road, said he is also concerned about the condition of the beach. He understands there is a Revetment Committee however that committee has not met since November of 2022. He implored the Board to do everything within its power to encourage that committee to begin meeting on a regular schedule and to publish that schedule so that homeowners have the opportunity to engage with them and be involved in moving this issue with sandbags and revetment forward and also to ask the Town to do reasonable and timely maintenance of the condition of the bags outside of the repairs dictated in the settlement. He believes that the Town has a due diligence to maintain the revetment to a standard pending the outcome of the settlement and a timeline for repair of the bags. The Town has a duty pending the outcome of the settlement. Allowing it to continue to deteriorate further while we are waiting for that process to work through ends up costing both the Town and the homeowners more money. In the four years he has owned his home he has gone from having three layers of bags outside of his house to having one. We are down to the base layer. The remains of the other bags are causing a safety hazard to people He has personally rescued three pelicans entrapped in remains of bags. The Town has quite an environmental disaster on its hands.

3. Steve Scheibner, 2364 New River Inlet Road, said he is a homeowner at this address. He said it has been six plus years since the revetment settlement was agreed to. He inherited this by proxy because he bought a house that was part of the original revetment plaintiff side of the thing. We are not allowed to speak on it because we are not part of the original plaintiffs so we are between a rock and a hard place. He has talked with the plaintiffs, newer plaintiffs, town staff and other folks in town. The conversation quickly descends into a finger pointing blame assessing episode and it has come to a screeching halt. There are no revetment committee meetings scheduled. The last one was fifteen months ago and was also a finger pointing blame assessing and when you talk to either side, they have plenty of blame for the other side. He thinks from the onset that some person needed to be set in charge of being the facilitator or manager or whatever name you give it to see this settlement over the finish line. He volunteered to do this at no charge. He has experience in this area. He has taught fortune five hundred companies in a course that he wrote on proactive problem solving and he has worked as a facilitator. He has a horse in the race. Every day that goes by the money that was set aside dwindles in comparison to the number of sandbags we would get. His house is in peril. If not, give that authorization to somebody to see that over the finish line.

Mayor McDermon said if the home you bought paid into the fees, you are allowed to speak. She was in the last sandbag settlement meeting and there was not any finger pointing. She thought it was a productive meeting. There were follow-ups that were discussed that still have not come back to the Board. The way this works is the litigants are supposed to have folks on their committee and we have some from our Town Board and staff that meet. She does not know who is on the litigant committee anymore. The plan that was presented to the Board did not have

sandbags further than the beach club so there are homes that are in this same situation that stretch from the inlet all the way to Topsail Reef. She does not think it is fair to have taken money from these litigants and they are not getting any sandbags. She requested the attorney for the litigants that was there and Ms. Witford to communicate this information to them. She has not heard another word since then. That attorney told Ms. Witford not to volunteer to communicate that information. This Board is in a position to approve the proposals that come from the engineers to move the project forward.

Alderman Leonard said he was on the Board when the project and revetment was done. The settlement has specific tasks required of the plaintiffs. One was an engineer was to be found. He agrees something needs to be done. The Town Attorney is not present so we should not be talking about a legal matter without him. He proposed expediently calling a meeting of the Revetment Committee to get going. He agrees we have to fix this.

Mayor Pro Tem Benson said the problem is the engineer would never provide a waiver for something that does not exist.

Alderman Grant said nothing can be done without permits. We are going to take the ball in our hands as a Town and fix the beach. If those things play out and they are additive that is fine. He is not willing to wait for the revetment lawyers to get together. We assume we have to fix the beach and not just there and move forward.

Mayor McDermon stated the best path forward is to get a meeting on the books. Get the names to Alice (Town Manager) with who needs or wants to be there. The attorneys will need to be there because the Town is still bound by what was agreed on.

Alderman Pletl said she agrees there needs to be a meeting and get this ball rolling again. She has a lot of environmental concerns.

Motion – Alderman Olszewski motioned to schedule a Revetment Committee meeting through the Town Manager; seconded by Alderman Pletl; unanimously approve.

Manager Derian clarified that she will not schedule a meeting until she gets a list of contacts.

4. Hannah McCloud, 1835 New River Inlet Road, stated she did not see a crosswalk for the county beach access # 1 on the list of crosswalks. There is parking on the sound side of the street and a curve where it is 35 miles per hour there. She asked the Board to add this area to the list of crosswalks for review.

Mayor Pro Tem Benson stated he did request that area be considered in the last Board meeting.

She said as a member of the Planning Board it would have been professional for the Board to contact Planning Board members for their input on a common date for the meeting. She believes having the meeting on the day after your Board meeting is going to cause delays in any kind of response from the Planning Board. Please take that into consideration.

Public Presentations and Hearings

A. Public Hearing – Application from Seaview Fishing Pier

Motion – Alderman Leonard motioned to open the Public Hearing at 11:40 am; seconded by Alderman Pletl; unanimously approved.

Planning Director Hill stated:

- Applicant requests review and approval of plans for minor modifications of a restroom addition (15.5' x 28') and an uncovered deck (6' x 6') attached to the existing variety store and restaurant commercial building (51' x 34') at Seaview Fishing Pier located at 124 Fishing Pier Lane (Tax Map # 774F-98), zoned B-2 Business.
- The Building Inspector has reviewed the preliminary engineered building plans for the proposed addition to Seaview Pier. The plans appear to meet the requirements of the 2018 North Carolina State Building Code
- There may be minor changes related to existing features of the structure that will be examined by the Fire Chief and myself once construction of this addition begins. These changes may include additional "Exit" signs or relocation of existing exit signs, width of open travel distance to exits and other life/safety issues to the existing structure that will be resolved at that time. None of these issues affect the proposed addition and are typical when adding to an existing commercial structure. The Fire Marshall recommends that the emergency light above the exit door be moved to the center of the wall across from the bathroom doors due to not knowing what was going to be stored or how it would be stored in the storage room. A fire extinguisher will need to be mounted in the hallway. Periodic walk throughs will transpire while construction progresses.
- The Police Chief has reviewed plans and has no objections to proposal.
- The Public Works Director recommends that the asphalt connection to New River Inlet Road be repaired
- On January 11, 2024, the Planning Board reviewed and recommended that the Board of Aldermen conduct a Public Hearing on February 7, 2024, at 11:00 a.m. to review and approve the development plan as indicated in the attachments 1-7 with the condition that the applicant and staff coordinate with NCDOT to address the driveway entrance.
- Since that time, NCDOT responded that no revision to the driveway is needed.

Staff recommends approval of plans for minor modifications of a restroom addition and an uncovered deck with no conditions as submitted.

Alderman Olszewski asked if there would be any impact to the south side of the building. Planning Director Hill responded that is part of the engineer's plan to look at that.

Alderman Grant asked if repair of the driveway is a condition. Planning Director Hill said it is not a condition.

Alderman Leonard said the driveway needs something more than spreading gravel because the gravel spreads. He would like to see the owner do a more permanent repair.

Applicant Greg Ludlum stated he gets water from the banked roadway. There is no ditch and the property is located in a low spot. He cannot fix it. He would like to because he is tired of putting out gravel.

Mayor McDermon asked if anyone wished to speak at the Public Hearing. No one wished to speak.

Motion – Alderman Leonard motioned to close the Public Hearing at 11:55 pm; seconded by Alderman Olszewski; unanimously approved.

Motion – Alderman Pletl motioned to approve the plans from Seaview Fishing Pier as presented; seconded by Alderman Leonard; unanimously approved

B. Coastal engineer update

Engineer Fran Way stated:

- Phase 5 work is ongoing and we are working on Saturdays.
- Phase 1 had some nourishment last year and a Corps project. A lot of the material has moved on. We plan to place 20,000 cubic yards here this winter. The Town has headroom to put more material than the 20,000 cubic yards that it is planning for this winter
- Winter has caused erosion. It is a classic winter verses summer dynamic with movement from the upper to the lower beach. In July, the beach does recover from this. We have had the highest water levels we have seen in decades.
- Phase 5 is continuing. There was an initial slow down but they are catching up now and running at the anticipated rate. Delays may affect the environmental buffer, but we hope to finish early April and begin Phase 4.
- Phase 4 we plan to start in April. This is a two – three-week project to place 20,000 cubic yards this winter.
- The New River Inlet Management Plan Environmental Impact Study (EIS) is under development. He is working with Dial Cordy who is communicating with the Corps of Engineers on their input.

C. Recent beach survey results and recommendations

Engineer Way said:

- There are some escarpments. Options for this are:
 - Sand scraping which the Town has permitting to do. The beach will normally recover. Phases I and II are the most impacted.
 - Phase I permit allows room to place more sand. It is permitted for 75,000 cubic yards with 20,000 cubic yards planned for placement

Engineer Way stated most of these options would not happen until next season as we have to do the bidding process. There are some contractors that can do the work in the next couple of months.

Discussion highlights:

- There is a third option which is to build up the dune at the north end which is half gone. (Benson)

- It has to be in writing to the contractor to make sure he lives up to the schedule. I am concerned 50,000 cubic yards is \$2 million dollars. We would have to pay for it up front with no outside money. The Thirty-Year Beach Plan funding options go out the window.(Grant).
- Is there anything you recommend that can be done in this environmental window? (Derian)
- If we did place more sand, where would we place it? (McDermon)
- The engineer is talking about critical work now, not the Beach Plan. (McDermon)
- The Vitex grant is also open for beach projects as well and we can submit multiple applications. (Derian)
- CSDM grant window closes March 8th.(Benson)
- The grant will not be due for the next couple of months. (Derian)
- I will not approve sand scraping. It is a colossal waste of time and a disruption to the coastline and waste of taxpayer money. (Leonard)
- Sand scraping is cosmetic only and does more harm than good. (Pletl)
- We need an estimated cost of adding additional sand and a proposed location from the engineer. (McDermon)
- Budget season is coming up. (Grant)
- The grant route would not be getting something done this year. (Derian)
- Is someone supervising the Phase 5 truck haul? (Leonard)

Both Engineer Way and Gibson replied that they have someone monitoring the work for Phase 5 truck haul project and reporting daily to the Town Manger.

Consensus - Engineer Fran Way to provide cost and location for placement of additional sand in Phase I to Town Manager for consideration at budget meetings.

Consent Agenda

Consent Agenda items:

- Minutes from January 2, 2024, meeting
- Fire Station No. 2 Capital Project Ordinance
- Surplus items for disposition

Motion – Alderman Pletl motioned to adopt the Consent Agenda; seconded by Alderman Olszewski; unanimously approved.

Continuing Business

A. BISAC update

Chair Strother stated:

At the last meeting of the committee on January 16th, they heard the manager’s update, reviewed revised rules for reappointment, adopted the 2024 Meeting Schedule, discussed CSDM projects, discussed the proposed Five-Year Action Plan and Thirty-Year Beach Plan.

B. Five- and Thirty-Year Beach Plan

Engineer Gibson stated:

- The long-term goal is for the entire beach from the town line to New River Inlet
- There are areas that have not had anything done to them since 2002

- The strategy over the next few years is to finish Reaches 2 and 3, rebuild Reach 1 and move forward
- The term ‘Phases’ has been used to indicate areas. This plan uses the term ‘Reaches’ to provide a more geographical view. We want to move away from using the term ‘phases’ to using ‘reaches’.
- The goals of the plan are:
 - Provide nourishment and shoreline stabilization townwide within 5 Years
 - Have entire town meet “engineered beach” criteria for FEMA
 - Make as many properties CAMA setback conforming as possible
 - Implement long term (30 Year) plan with appropriate funding resources
 - Implement proactive construction/beach management practices
 - Maintain a fiscally responsible program
- For an engineered beach designation, the threshold to qualify for FEMA reimbursement is \$13 million dollars’ worth of damage county wide
- FEMA and the State require a long-term plan for funding requests
- The plan recommends a temporary terminal groin in the form of a sheet pile to hold sand from going back into the inlet because the north end will not hold sand. It is similar to a terminal groin, but is removable and recyclable and has a five-year life cycle
- The plan’s design schedule is:
 - 30-year concept plan – Dec. 2023
 - Stand-alone permit for Reaches 1, 2 & 3 (DA143) - Dec. 2023 – Nov. 2024
 - Long term sand source development - Jan. 2024- Dec. 2024
 - Finalization of 30-year plan, including permit - Dec. 2025
 - Upon completion of Reaches 1, 2, & 3 in Fiscal Year 26 entire Town will be an engineered beach.
- Non construction expenses over fiscal years 2024 and 2025 are:

<u>FY-24</u>	
• Surveys & Geotechnical analysis of DA 143	\$300,000
• Engineering/ design of borrow area & beach fill	\$150,000
<u>FY-25</u>	
• Environmental analysis	\$ 75,000
• Permitting/ grant applications	\$150,000
TOTAL	\$675,000
- The plan assumes no major storm events
- Funding opportunities are:

FY	AV & ROT	Sales & Park	Grants	FDA Loan	Project Expenses	Balance	Notes
						\$ 17,800,000	
2024	\$ 3,200,000	\$ 1,000,000	\$ 8,300,000		\$ 8,300,000	\$ 22,000,000	Reach 5
2025	\$ 3,200,000	\$ 1,000,000			\$ 11,500,000	\$ 14,700,000	Reach 4
2026	\$ 3,200,000	\$ 1,000,000	\$ 25,875,000	\$ 2,000,000	\$ 36,500,000	\$ 6,275,000	Reach 1,2,3 DA143
2027	\$ 3,200,000	\$ 1,000,000		\$ 2,000,000	\$ 500,000	\$ 7,975,000	
2028	\$ 3,200,000	\$ 1,000,000		\$ 2,000,000	\$ 5,000,000	\$ 5,175,000	Terminal Groin Armoring
2029	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000	\$ 2,000,000	\$ 16,000,000	\$ 3,375,000	Reach 1,2,3 Inlet
2030	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 7,300,000	
2031	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 11,225,000	
2032	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 3,375,000	Reach 4,5 Hopper
2033	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 3,575,000	Reach 1,2,3 Inlet
2034	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 7,500,000	
2035	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 11,425,000	
2036	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 15,350,000	
2037	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 15,550,000	Reach 1,2,3 Inlet
2038	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 19,475,000	
2039	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 23,400,000	
2040	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 27,325,000	
2041	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 27,525,000	Reach 1,2,3 Inlet
2042	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 19,675,000	Reach 4,5 Hopper
2043	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 23,600,000	
2044	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 27,525,000	
2045	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 27,725,000	Reach 1,2,3 Inlet
2046	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 31,650,000	
2047	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 35,575,000	
2048	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 39,500,000	
2049	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 39,700,000	Reach 1,2,3 Inlet
2050	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 43,625,000	
2051	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 47,550,000	
2052	\$ 3,200,000	\$ 1,000,000	\$ 12,050,000		\$ 24,100,000	\$ 39,700,000	Reach 4,5 Hopper
2053	\$ 3,200,000	\$ 1,000,000	\$ 12,000,000		\$ 16,000,000	\$ 39,900,000	Reach 1,2,3 Inlet
2054	\$ 3,200,000	\$ 1,000,000	\$ 825,000		\$ 1,100,000	\$ 43,825,000	
Total	\$ 99,200,000	\$ 31,000,000	\$ 167,525,000	\$ 8,000,000	\$ 263,700,000	17%	
Annual	\$ 3,200,000	\$ 1,000,000	\$ 5,404,032		\$ 8,506,452		
Annualized SDI			\$ 3,080,645				
Annualized Beach Fund			\$ 2,323,387				

- The spreadsheet assumes we keep up with inflation and there is a positive amount at the end.

Alderman Grant asked Mr. Gibson to clarify if the \$675,000 amount is to get all the permitting done this calendar year. His recommendation to the Board would be to approve what he (Gibson) needs to get this done and then try to get the fastest schedule so we do not lose the windows on things.

Engineer Gibson said that it is correct that \$675,000 is the amount to get all the permitting filed this calendar year.

Alderman Grant stated from a timing standpoint BISAC recommended approval to go ahead with getting permits so we do not lose the window.

Mayor McDermon asked Engineer Gibson if we follow this high-level schedule that you have and you started to place the sand to have an engineered beach in fiscal year 2026, would you start with that temporary structure? How logistically would you begin?

Engineer Gibson replied we would begin with running a pipeline down the waterway beginning at Reach 3 where the power line easement is. We would come down to Marina Way and come across the island there at the power lines. There is one of your bridges there and an empty lock there so we would go under. This would be so the weather could not impact it. We would then go south into Phase 4 and then flip and go north up to Phase 1. We would put in the retaining structure at the end.

Mayor McDermon stated that the easement is privately owned.

Engineer Gibson said he knows the owner and we would work with that person.

Alderman Grant said he thought we technically had a thirty-year beach plan in place.

Will this be amending that?

Mayor McDermon said she was told our thirty-year beach plan is not approved by the state's DCM (Division of Coastal Management).

Engineer Gibson said it is all about the static line. If we want to get rid of the static line, we present the state with a thirty-year beach plan. The state wants to approve thirty-year plans and will give permits for a ten-year period. Then, if that is successful, they will give permits for twenty years. This is new thing with the state. They do not want to approve project by project. We need to re-up the plan. The state is looking at ways to allocate funds annually.

Alderman Leonard said fifteen years ago, the Beach Erosion Study team favored shoreline protection, rather than a beach plan. By protecting the shoreline you protect property and infrastructure. He said he is very impressed with this plan. He is curious why we would not call the reaches areas one through five instead to just make it simpler.

Engineer Gibson responded that we could call them phases, but he thought the phasing language should be put out because it is no longer a timing thing.

Mayor Pro Tem Benson stated he is optimistic. The BISAC group has worked over six months or more on this. This is a good, novel plan that makes a lot of sense and accomplishes two things particularly with the use of DA143 as a sand source. He is very supportive of it. He has concerns about future maintenance once we get past using DA143. New River Inlet has an authorized depth of six feet plus or minus two feet. It is one of the shallowest draft inlets in the state. Most are eight feet. He learned recently that Topsail Inlet is eighteen feet authorized. So it is possible to get a permit to dredge a greater depth even though it is only authorized at six feet.

Engineer Gibson said New River Inlet is the shallowest inlet in the country. The Topsail Inlet permit is eighteen feet or sixteen feet plus two feet, but the federal authorization is only eight plus two. Most dredges in the ocean need fourteen feet low water just to float. We want to get on a schedule, so we need to dredge to sixteen to eighteen feet and then it can stay open for five years. This will save on mobilization. This will be part of the permitting process that we do.

Alderman Leonard asked if the sixteen to eighteen feet is the Corps of Engineers guidelines they use when dredging.

Engineer Gibson said that is correct. If the Corps was going to do a hydraulic dredging project in this inlet, they would go down to fourteen plus two feet.

Alderman Pletl stated when CP&E had the plan to straighten the inlet, there were artifacts that precluded them from going as deep as they wanted. She loves the project as outlined and it looks very encouraging. Are there any hiccups that you foresee that we need to mitigate?

Engineer Gibson said it was a peat layer they encountered. What happens with the terminal groin and that north end really impacts the long-term plan. Until something is in place to stabilize the north end, the inlet cannot be used as a sand source because digging a hole next to the houses is not a good idea. This has a huge impact on what we are looking at long term. In this plan, the hope is by the time we need to use the inlet the terminal groin has gone through and been constructed or another plan to stabilize has come to fruition.

Mayor McDermon said this is an excellent presentation. She feels this is the first time we have something that is obtainable and reachable to get our beaches where we want them to be.

BISAC Chair Strother asked if we can begin to start getting the permitting started.

Mayor McDermon said we cannot realistically approve this today. We have to look at the budget and put it on the agenda for next month.

Alderman Grant said the budget in the plan for permitting is \$675,000 over two years. We currently have \$1.2 million in the Beach Fund now. We already have the money in the budget this fiscal year. He wants the Board to give approval now.

Mayor Pro Tem says he agrees the \$675,000 is over two budget years and we do have \$1.2 million in the Beach Fund.

Alderman Leonard said we were originally looking to approve the funding for the permit work, not the whole plan.

Motion – Alderman Olszewski motioned to approve the non-construction expenses over fiscal years 2024 and 2025 not to exceed \$675,000 in fiscal year 2024 as follows: seconded by Alderman Leonard; unanimously approved.

<u>FY-24</u>	
• Surveys & Geotechnical Analysis of DA 143	\$300,000
• Engineering/ Design of Borrow Area& Beach Fill	\$150,000
<u>FY-25</u>	
• Environmental Analysis	\$ 75,000
• Permitting/ Grant Applications	\$150,000
TOTAL	\$675,000

C. NCDOT crosswalks

Public Works Superintendent Cablay stated:

- NCDOT has a policy where they defer to the local agency if they would like to use and fund an enhanced pedestrian crossing. An example is in the packet. Cost is \$25,000 for each location.
- NCDOT said the agency pays for it and DOT will install it or DOT will give us a permit and we install it. DOT requires a maintenance agreement for each location.
- NCDOT did not reply and were reluctant to give an opinion to our request to rate our existing pedestrian crossings as to which was the most dire or severe.
- NCDOT will support our choice.
- NCDOT will need sixty days to study and render an opinion on any new locations we request.
- Our existing crossings are at beach accesses.
- NCDOT discourages in - road lighting as weather impacts the longevity.
- Options are signage and painted street, manual and overhead lighting, or signage and in road lighting
- JUMPO has funding for planning pedestrian crossing locations, but not for installment

Discussion highlights:

- Do you have a recommendation for coastal areas? We could have various models based on density and not have to have each crossing the same. The list we presented is not comprehensive. Should we move forward with the ones DOT has already looked at since it will take months for DOT to review and approve new ones. (Olszewski)
- I am concerned about maintenance costs. An enhanced crossing would require a lot of maintenance. I have not seen enhanced crossings on the island. (Grant)
- I am curious about density and where we would need more or less enhanced crossings. (Pletl)
- Do crossings give pedestrians a false sense of safety? Do any of these options encourage safety? It is still on the pedestrian to make sure cars stop before they enter. Have any studies been done where the enhanced system has prevented more pedestrian accidents than just the painted lines across the street and the crossing signs? Can the HOA's where crosswalks are located, such as Villa Capriani, or the county crossing contribute to the cost? (Benson)
- Do we really need an elaborate set up or will signage and painting the street be sufficient? We want the cars to stop so people can cross safely. (McDermon)
- We need to know costs for upcoming budgeting meetings (Derian)
- The Public Works Superintendent did not recommend the enhanced one, so that should be off the table. Why does DOT pick the slowest time of the year to put out traffic counters? (Leonard)

Superintendent Cablay responded:

- There have been a number of studies through the years but he is not sure they are specific as to more passive than active. There is a safety advantage.

- Traffic counters placed recently were part of a normal speed and volume study by NCDOT after receiving complaints outside of the community about speeding. DOT wants to know if the Board would be willing to reduce the speed limit.

Consensus – Public Works Superintendent to take a simplistic approach to get driver’s attention and bring back a cost estimate for existing crossings at budget meeting.

New Business

A. Planning Board 2024 Meeting Schedule and Town Attorney’s Attendance

Motion – Alderman Olszewski motioned for the Town Attorney’s attendance at all Planning Board meetings that will be held on the first Thursday of each month effective on March 7, 2024; seconded by Alderman Leonard; motion passed by vote of four to one with Mayor Pro Tem Benson against.

B. Planning Board Live Streaming of Meetings

Alderman Olszewski proposed live streaming of Planning Board meetings so more people will be aware of the issues coming to the Board and how they are addressed. We live stream the Board of Aldermen and Board of Adjustment meetings.

Alderman Pletl said she totally agrees that we should live stream the Planning Board meetings to be as open as possible so that as many people can see what is going on and how this Town is run. The more people aware, the better.

Mayor Pro Tem Benson said he will take the opposite view now. We spent a lot of time discussing whether we would even record the Planning Board meetings. We agreed at that time to record the meetings but not broadcast them. We need to give that decision that is less than a year old more time to play out before we go to live streaming the Planning Board meeting.

Motion – Alderman Grant motioned to live stream Planning Board meetings; seconded by Alderman Pletl; motion passed by vote of four to one with Mayor Pro Tem Benson against.

C. Town Hall Meeting Room Usage by outside entities

Alderman Olszewski said it was brought to her attention that Town Hall in the past was used by HOA’s on the island for annual business meetings. This is being requested again so the HOA’s do not have to go off the island or pay for facilities off the island. She proposed adding this back as a service to our taxpaying community that HOA’s on the island can have their annual business meetings. She is not saying we are opening up things for parties or social events. This is a service to taxpayers and communities on the island so they do not have to go off island to meet. She proposed putting that back on the list, possibly with a cleaning fee or fee if staff time needs to be covered.

Motion – Alderman Pletl motioned only for the purpose of discussion to consider use of Town Hall Meeting Room by outside residents and outside entities; seconded by Alderman Olszewski; unanimously approved.

Discussion highlights:

- I think we have to be specific on what we are requesting. There are issues about staffing, cleaning, what is restricted and what is not. I have no problem during normal business hours because then you can protect stuff. When you get into odd hours there is protecting what is here and locking stuff down. (Grant)
- I even have issues with normal business hours because we are using this room for folks who have trouble with their permits and need a place to talk. It is used for staff meetings as well as merchandise that we are selling. (McDermon)
- There is a Public Library just off the island that has facilities that can be used for this. I am concerned about the audio-visual equipment that is in here and we would have to provide some level of security for that, if used after hours. There are alternatives here now that were not here before. (Leonard)
- The Fire Marshall rating for the library is only 45 people. This room could handle some of the communities. My community has over sixty members. We are asking for taxpayers to go off the island to look for a place to meet when we have a Town Hall, which is their Town Hall. I think we should look at opening it up to groups and look at the logistics to start accommodating citizens in this Town for their meetings. (Olszewski)
- I would not want it open other than during business hours. I am concerned about our audio-visual equipment. I am concerned about several different aspects. On the other side of the coin, these are taxpaying citizens and this is their Town Hall as well. Yet I have many concerns about opening it up to many entities. I would like to hear the pros and cons. (Pletl)
- We could open it up to HOA meetings or to neighborhoods that do not have an HOA to meet. We would not necessarily open it up to any group. (Olszewski)
- I think you need to be careful because then you are excluding groups. The attorney would need to weigh in on this. (Derian)
- What is the maximum allowed for the Meeting Room? (McDermon)
- The Building Inspector set it at 100 maximum and the Fire Marshall signed off on it, but I think it may need to be revisited. Is there a consensus of the Board for me to spend time on this to come up with a policy? (Derian)
- This could be an alternative revenue source for the Town (Olszewski)
- It was on the fee schedule for many years and no one used it. There was no revenue. (McDermon)
- It cost \$50 to rent it. I have seen it be used for a reception after a funeral. Where do we draw the line? (Leonard)
- You can draw the line between business meetings and social gatherings. I think we need to look at what other towns are doing because it is the citizens' Town Hall. (Olszewski)
- The flip side of that is it is also the citizens' Town Hall for us to protect. (Grant)
- I hear the Board saying open it during business hours but a lot of these meetings will be on weekends, so we would have to have staff present. (Derian)
- This is not a high priority with all the beach work going on. (Grant)
- I am not in favor of it because of all the logistical issues surrounding it. If it is a low priority, I do not know when it would even get done. (McDermon)
- I would be willing to do some research on what other towns are doing. (Olszewski)

- Topsail Beach does have a policy but they told me they are thinking of revisiting it. I asked Surf City but have not received a response and I have policies from other towns. (Derian)
- I think it is a low priority and I do not want to see the Town Manager have to spend time to come up with different options. (Benson)

Consensus – Put this item back on the March agenda. Alderman Olszewski to bring back additional information.

D. Proposed Ordinance amendment 2024-02 Beach Vitex Prohibition

Motion – Alderman Grant motioned to adopt Ordinance amendment 2024-02 Beach Vitex Prohibition; seconded by Mayor Pro Tem Benson; unanimously approved.

E. Board of Adjustment - resignation

Motion – Alderman Leonard motioned to acknowledge the resignation of Stu Harness from the Board of Adjustment and request the Town Manger to announce the opening; seconded by Alderman Olszewski; unanimously approved.

F. Consideration of BISAC committee appointments

Mayor McDermon said the terms of three members on the Beach, Inlet, Sound Advisory Committee (BISAC) are expiring. They are Rick Grant, John Gardner and Teri Ward. All three have indicated they would like to stay on the committee.

Motion – Alderman Leonard motioned to re-appoint Rick Grant, John Gardner and Teri Ward to the Beach, Inlet, Sound Advisory Committee (BISAC) for a three-year term each; seconded by Alderman Olszewski; unanimously approved

Open Forum

1. Fred Fontana, 1866 New River Inlet Road said while the Board is talking to NCDOT this Board approved \$100,000 to have DOT review the design for bikeways. He has not heard a status or update as to where this is and he does not want this to go by the wayside.

2. Don Hibbert, 2264 New River Inlet Road # 105 said he would hate to see tight restrictions on the use of Town Hall meeting room because the turtle hospital has used it and it is an excellent thing for the area and the hospital. Probably 80% of people do not use crosswalks and he would hate to see a lot of money spent on this. On the 20,000 cubic yards to go sand wise, these people that were here on the far north end left fifteen feet from the sandbags to where the edge was, then they went back in and filled up. When the hauling started coming in, they started coming in back towards the north up to building # 6. There was a pipeline they would not cross over. He highly recommends and hopes when the 20,000 cubic yards of sand begins to be hauled that they start at building # 6 where it ended and go back towards the north end. He gets maybe a half-hour to an hour when he can walk off his deck and not get his feet wet. The waves that are hitting our sandbags are now splashing water up onto his sliding glass door.

3. Susan Meyer, 2224 New River Inlet Road, # 138 said when the engineer spoke about those 20,000 cubic yards of sand he said south of the Reef. Then he spoke about north of the Reef, but the Reef was not included. She understands the beach is bad north of us. She wishes the Board would understand that the Reef has always taken care of the beach in front of them. We have spent millions on sandbags, three times. We need the sand just as much. She asked for clarification on the Planning Board. It was brought up that when a member's term expired, they had to reapply, but you are not doing it on the BISAC because of a learning curve. There is a learning curve on the Planning Board and the Board of Adjustment so much so that we needed the alternates as a training ground for the actual committee.

Mayor Pro Tem Benson said the members of the BISAC committee whose terms expired did reapply and we did go out for applications.

Alderman Grant said BISAC openings were posted and the people that were re-appointed applied.

4. Jeff Meyer, 2224 New River Inlet Road, # 138 asked for an update on the CBRA situation. Asked Leonard said it will be in his report.

Attorney report – None

Mayor report

Mayor McDermon – I am very pleased to see the insurance increase was not approved. I had the opportunity to speak during a Zoom meeting and there were 200 people attending. I appreciate all of the hard work by the manager and staff and on the Beach Plan. I appreciate all the people that came today.

Alderman reports:

Alderman Grant – Kudos to Engineer Gibson. Thanks to everyone that came today. The ONWASA pump station project will not be ready for this summer but ONWASA has solutions in place and is prepared. We do need to move forward with this project as soon as we can.

Alderman Olszewski – I thank everyone for coming. I attended a two-day class called the Essentials of Government offered by UNC School of Government and the League of Municipalities and it was great training. Alderman Leonard and I attended the New Year's reception at Camp Lejeune. It was my first time on the base and it was a terrific event. The Town Manager and staff are working diligently on issues for the citizens and I encourage residents to get involved and to continue to volunteer for positions on the Town committees.

Alderman Leonard – Early this week, I spoke with Ray Celeste in Congressman Murphy's office and then with Mike McIntyre and Stephanie Messer who are our lobbyist in Washington concerning where we are with House Resolution 2437 which is our CBRA bill. It is still in the process of being scored by the Congressional budget office. I was informed this could take up to several months. At this point all we can do is let it run its course. I explained to all of them that I am concerned about potentially losing the momentum we created and enjoyed last year. I was assured when we go to Washington in April for our annual visit, it will be the subject of getting

into see certain peoples on various committees and our congressman making sure this thing stays where it needs to be. I will stay on top of this. I also attended the New Year’s reception with Laura (Alderman Olszewski) at Camp Lejeune.

Alderman Pletl – I thank everybody for coming out and those that get up to speak. It is really good to hear the voices of the community. I thank Alice (Manager Derian) and her staff for everything they do. I am especially pleased with the report we got from Chris Gibson (engineer).

Mayor Pro Tem Benson – I echo my colleagues’ comments. I attended the Topsail Island Shoreline Protection Committee (TISPC) meeting last month and we reviewed our accomplishments. The website (tispc.org) lists all of the accomplishments and I encourage you to take a look. Two highlights were: banning unencapsulated polystyrene in dock floats and piers. That got past the county level and it will become state law July 1, 2025, and a ban on derelict vessels. We were hoping to get a county ban and it went to Raleigh. Senator Lazarro and Representative Smith worked on a bill to put a ban on derelict vessels in coastal counties and last December this Board adopted an ordinance in that light so we can ban and remove derelict vessels.

Adjournment

Motion – Alderman Leonard motioned to adjourn at 2:22 pm; seconded by Alderman Olszewski; unanimously approved.

Joann McDermon, Mayor

ATTEST: _____
Nancy Avery, Interim Town Clerk